



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,537	06/21/2001	Timothy J. Mills	G03.015	6399
28062	7590	02/02/2006	EXAMINER	
BUCKLEY, MASCHOFF, TALWALKAR LLC			GRAHAM, CLEMENT B	
5 ELM STREET			ART UNIT	
NEW CANAAN, CT 06840			PAPER NUMBER	

3628

DATE MAILED: 02/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/886,537

Applicant(s)

MILLS, TIMOTHY J.

Examiner

Clement B. Graham

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-28, are rejected under 35 U.S.C. 102(e) as being anticipated by Joao U.S. Patent 6, 725, 201.

As per claim 1, Joao discloses a method for identifying an alternative financial product, comprising: calculating a payment difference between a loan and a lease for an item, said loan and said lease having a term, said payment difference including at least a recurring payment difference equal to the difference between a recurring payment for said loan and a recurring payment for said lease(see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67) identifying an investment option, said investment option having an expected rate of return; and calculating an investment value at the end of said term based on investment of said payment difference in said investment option. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

As per claim 2, Joao discloses further comprising:
comparing said investment value with a residual value of said item at the end of said term. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

As per claim 3, Joao discloses further comprising:
offering said alternative financial product if said investment value is greater than or equal to said residual value, said alternative financial product including said recurring lease

payment and a recurring investment option payment. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 4, Joao discloses wherein the sum of said recurring lease payment and said recurring investment option payment equals said recurring payment for said loan. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 5, Joao discloses wherein said difference further includes an initial payment difference equal to the difference between an initial payment for said loan and an initial payment for said lease. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 6, Joao discloses wherein said alternative financial product further includes an initial payment equal to an initial payment difference between an initial payment for said loan and an initial payment for said lease. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 7, Joao discloses wherein said investment option includes at least one of: a stock; a bond; a mutual fund; a money market fund; and a certificate of deposit. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 8, Joao discloses wherein said investment option includes a plurality of investments selected from: stocks, bonds, mutual funds, money market funds, and certificates of deposit. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 9, Joao discloses further comprising:
receiving a payment for said alternative financial product;
applying a first portion of said payment to satisfy a recurring payment obligation for said lease; and
applying a second portion of said payment to increase a balance of said investment option. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 10, Joao discloses an alternative financing method for an item, comprising:

identifying a loan for said item, said loan having a lump sum payment and a recurring loan payment over a term;

identifying a lease for said item, said lease having a recurring lease payment over said term and having a defined residual value for said item at the end of said term(see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

calculating a payment difference between said recurring lease payment and said recurring loan payment;

identifying an investment option, said investment option having an expected rate of return; calculating an investment value at the end of said term based on investment of said payment difference in said investment option during said term; and

establishing said alternative financing method if said investment value is greater than or equal to said residual value. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 11, Joao discloses further comprising:

receiving a periodic payment for said alternative financing method; applying a first portion of said periodic payment to said recurring lease payment; and

applying a second portion of said periodic payment to increase a balance of said investment option.

As per claim 12, Joao discloses a purchase method, comprising:

receiving a periodic payment for an item from a buyer;

identifying a lease agreement associated with said item and said buyer; identifying a periodic lease payment amount;

applying a first portion of said periodic payment to said periodic lease payment;

identifying an investment option associated with said item and said buyer;

and applying a second portion of said periodic payment to increase a balance of said investment option. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

As per claim 13, Joao discloses wherein said investment option is selected by identifying a residual amount of said item at an end of said lease agreement and identifying an investment amount and said investment option which will return an amount at least equal to said residual amount at said end of ' said lease agreement. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

As per claim 14, Joao discloses wherein the amount of said second portion is selected by identifying a difference between said periodic lease payment amount and a loan payment amount for said item. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

As per claim 15, Joao discloses apparatus for identifying an alternative financial product, the apparatus comprising:

a processor;

a communication device, coupled to said processor, receiving application data; and a storage device in communication with said processor and storing instructions adapted to be executed by said processor to calculate a payment difference between a loan and a lease for an item, said loan and said lease having a term, said payment difference including at least a recurring payment difference equal to the difference between a recurring payment for said loan and a recurring payment for said lease(see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

identify an investment option, said investment option having an expected rate of return; and calculate an investment value at the end of said term based on investment of said payment difference in said investment option. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 16, Joao discloses wherein said application data is received from a buyer device. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 17, Joao discloses wherein said application is received from an input device. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

Art Unit: 3628

As per claim 18, Joao discloses 18. An apparatus for conducting an alternative financing technique, the apparatus comprising:

a processor; a communication device, coupled to said processor, receiving application data; and

a storage device in communication with said processor and storing instructions adapted to be executed by said processor to (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

identify, based at least in part on said application data, a loan for an item; said loan having a lump sum payment and a recurring payment over a term; identify, based at least in part on said application data, a lease for said item, said lease having a recurring lease payment over said term and having a defined residual value for said item at the end of said term;

calculate a payment difference between said recurring lease payment and said recurring loan payment (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67) identify an investment option, said investment option having an expected rate of return;

calculate an investment value at the end of said term based on investment of said payment difference in said investment option during said term; and

establish said alternative financing technique if said investment value is greater than or equal to said residual value. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 19, Joao discloses where said storage device further stores instructions adapted to be executed by said processor to:

receive a payment for said alternative financial technique;

apply a first portion of said payment to satisfy a recurring payment obligation for said lease; and

apply a second portion of said payment to increase a balance of said investment option. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

Art Unit: 3628

As per claim 20, Joao discloses wherein said application data is received from a buyer device. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 21, Joao discloses wherein said buyer device is in communication with said communication device via a network connection. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

As per claim 22, Joao discloses a system for evaluating an application for an alternative financial product, the system comprising:

at least a first buyer device having a processor;

a communication device, coupled to said processor, configured to send and receive data over a network; and

a storage device in communication with said processor and storing instructions adapted to be executed by said processor to forward application data to an at least first sales device; said at least first sales device having a second processor,

a second communication device, coupled to said second processor, configured to send and receive data over said network and to receive said application data(see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67) and a second storage device in communication with said second processor ' and storing instructions adapted to be executed by said second processor to identify, based at least in part on said application data, a loan for an item, said loan having a lump sum payment and a recurring payment over a term(see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

identify, based at least in part on said application data, a lease for said item, said lease having a recurring lease payment over said term and having a defined residual value for said item at the end of said term(see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67) calculate a payment difference between said recurring lease payment and said recurring loan payment;

identify an investment option, said investment option having an expected rate of return;

calculate an investment value at the end of said term based on investment of said payment difference in said investment option during said term(see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67) and generate terms and conditions for said alternative financing technique if said investment value is greater than or equal to said residual value. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

As per claim 23, Joao discloses wherein said second storage device further stores instructions adapted to be executed by said second processor to: forward said terms and conditions of said alternative financing technique to said at least first buyer device. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 24, Joao discloses wherein said first storage device further stores instructions adapted to be executed by said first processor to: present said terms and conditions to a buyer; and

forward an acceptance of said terms and conditions to said at least first sales device. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 25, Joao discloses wherein said acceptance is received by said at least first sales device and said second storage device further stores instructions adapted to be executed by said second processor to establish said alternative financing technique. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 26, Joao discloses a computer program product in a computer readable medium for identifying an alternative financial product, comprising:

first instructions for calculating a payment difference between a loan and a lease for an item, said loan and said lease having a term, said payment difference including at least a recurring payment difference equal to the difference between a recurring payment for said loan and a recurring payment for said lease(see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

second instructions for identifying an investment option, said investment option having an expected rate of return; and
third instructions for calculating an investment value at the end of said term based on investment of said payment difference in said investment option. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 27, Joao discloses a system for identifying an alternative financial product, comprising:

means for calculating a payment difference between a loan and a lease for an item, said loan and said lease having a term, said payment difference including at least a recurring payment difference equal to the difference between a recurring payment for said loan and a recurring payment for said lease(see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67) means for identifying an investment option, said investment option having an expected rate of return; and

means for calculating an investment value at the end of said term based on investment of said payment difference in said investment option. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

As per claim 28, Joao discloses a purchasing system, comprising:

means for receiving a periodic payment for an item from a buyer; means for identifying a lease agreement associated with said item and said buyer(see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67)

means for identifying a periodic lease payment amount;

means for applying a first portion of said periodic payment to said periodic lease payment;

means for identifying an investment option associated with said item and said buyer; and

means for applying a second portion of said periodic payment to increase a balance of said investment option. (see column 2 lines 65-67 and column 2 lines 1-67 and column 6 lines 35-67 and column 7-8 lines 1-67 and column 8-10 lines 1-67).

Conclusion

Art Unit: 3628

3. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Liddy Eder (US Patent 6, 026, 388) teaches user interface and other enhancements for natural language information retrieval system and method.

Kohorn US PATENT: 5, 508, 731) teaches generation of enlarged participatory broadcast audience.

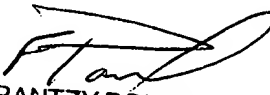
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

January 23, 2006


FRANTZY POINVIL
PRIMARY EXAMINER
A43628